

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

PATRICIA A YEOMAN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No.: 3:05-CV-104
	)	(VARLAN/SHIRLEY)
JO ANNE B. BARNHART,	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	

**ORDER**

This Social Security appeal is before the Court for consideration of the Report and Recommendation entered by United States Magistrate Judge C. Clifford Shirley, Jr. on December 12, 2005 [Doc. 15]. There have been no timely objections to the Report and Recommendation, and enough time has passed since the filing of the Report and Recommendation to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Magistrate Judge Shirley found that the Administrative Law Judge's decision that plaintiff is not disabled is supported by substantial evidence in the record as a whole and recommended that plaintiff's motion to remand [Doc. 11] be denied and that defendant Commissioner's motion for summary judgment [Doc. 13] be granted.

The Court has carefully reviewed this matter, including the underlying pleadings. [See Docs. 12, 14]. The Court is in agreement with Magistrate Judge Shirley's recommendation, which the Court hereby adopts and incorporates into its ruling.

Accordingly, plaintiff's motion to remand [Doc. 11] is **DENIED**, and defendant's motion for summary judgment [Doc. 13] is **GRANTED**. The Court **ACCEPTS IN WHOLE** the Report and Recommendation and this case is hereby **DISMISSED**.

IT IS SO ORDERED.

s/ Thomas A. Varlan  
UNITED STATES DISTRICT JUDGE